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December 7, 2015

Knoxville-Knox County Metropolitan Planning Commission  
400 Main St, Suite 403  
Knoxville, TN 37902

RE: Dec 2015 Agenda Item #36, Tazewell Pike, 12-C-15-SP & 12-D-15-RZ

Dear MPC Commissioners,

I have been in contact with the applicants' representative and read the staff report in the agenda review package. My understanding is that the owners are interested in establishing a small business that is associated with small scale craft textiles or embroidery. That seems like a nice addition to the area and could compliment the rural character of the community, and I'm supportive of them being permitted to do that.

There are a large number of other uses permitted by rezoning to the recommended CR which might not be a good fit for this particular spot, which is not at an intersection of two roads. Since the sector plan calls for overall agricultural uses in the area, I believe it would be appropriate to condition the uses allowed to the intended use by the owners, and thus triggering a rezoning and public hearing if the intended use changes later.

Below are my observations and some conditions I would like you to consider adding:

**12-C-15-SP – Sector Plan Amendment from AG/RR to (Staff Recommendation) RC**

Earlier in this month's agenda is the updated 2015 Northeast Knox County Sector Plan for your consideration. The community just went through the sector planning process, and nobody in the community or staff recommended making a commercial node at this intersection, at least not at the 5 or 6 public meetings that I attended. The final draft of the sector plan proposes Agricultural designation for this parcel and the wide surrounding area.



*Figure 1 - Excerpt from Draft  
2015 Northeast Knox County Sector Plan - Land Use Plan*

I feel this needs to be on the record when considering a sector plan amendment. The process is just finishing up, and no changes have been identified or proposed to the subject area.

However, given that there is already established commercial activity in that area, and the parcel (narrow, with a hillside) is not particularly well suited for agriculture (although it could be timber), I'm not opposed to the Rural Commercial sector plan change proposed by staff, but I feel that the General Commercial requested is not appropriate for this area and would set a precedent that would allow rezonings for more intensive commercial activity than already exists.

### 12-D-15-RZ – Rezoning from A to CR

Below is a summary of the primary differences between CR and CN. There are a number of minor differences in setbacks, distance between required trees, and a few other items that I didn't include.

<b>Regulation</b>	<b>CR</b>	<b>CN</b>
Building Size	< 5,000 sq ft	< 20,000 sq ft
Lot area	Greater than 10,000 sq ft	Between 1 acre and 4 acres
Parking in front setback	10 foot from property line	Not allowed
Parking in side setback	Allowed	Not allowed
Sidewalks	Not required	Required to connect to adjacent neighborhood(s)
Monument Sign	One (1) illuminated, 15 ft from property lines	One (1) indirectly illuminated, 10 feet from property lines

However, the uses permitted in the CR zone are more numerous and intensive than the ones permitted in CN, which does make sense given that you wouldn't have PC zones nearby for the more intensive uses:

<b>Uses Permitted</b>	<b>CR</b>	<b>CN</b>
Farm equipment and supplies	X	
Plant nurseries	X	
Soils and mulch	X	
Grocery store	X	X
Household supplies	X	X
Clothing / shoes / jewelry	X	X
Garden and lawn supplies	X	X
Fueling service stations with or without convenience stores	X	Use on Review
Drugs and medicine	X	X
Small appliance sales and repair	X	X
Baked goods	X	X
Delicatessen goods		X
Specialty foods	X	X
Newsstands / bookstores	X	X
Produce (including roadside produce stands)	X	
Florists	X	X
Gift shops	X	X

<b>Uses Permitted</b>	<b>CR</b>	<b>CN</b>
Arts / crafts	X	X
Antiques	X	X
Sporting goods	X	
Hardware	X	X
Fabric / upholstery shops	X	X
Video sales and rentals	X	X
<i>Business and personal services</i>		
Barber and beauty shops	X	X
Tailor / shoe repair	X	X
Laundry and dry cleaning (drop off / pick up only)	X	X
Banks and similar institutions	X	X
Laundromats (self service)	X	X
Copying services	X	X
Equipment rental (excluding vehicles for hwy use)	X	X
Restaurants	X	Use on Review
Service and repair of farm equipment	X	
Instructional schools (dance, music, arts, crafts, sports)	X	
Exercise / fitness centers	X	
<i>Business and professional offices</i>		
Travel agencies	X	X
Outpatient medical	X	X
Dental	X	X
Real estate	X	X
Finance and accounting	X	X
Architect / engineering	X	X
Insurance	X	X
Legal services	X	X
Local, stage, federal government offices & programs	X	X
<i>Other uses</i>		
Veterinary clinics and animal hospitals	X	No boarding
Accessory buildings to use such as parking facilities and signs	X	X
Commercial communication towers > 500 ft from residence	X	X
Residential uses on second floor above business	X	X
Demolition landfills < 1 acre	X	X
<i>Other Uses on Review</i>		
Child day care centers	Use on Review	Use on Review
Adult day care	Use on Review	Use on Review
Outdoor storage of materials, product, equipment	Use on Review	Use on Review
Commercial communications towers < 500 ft from residence	Use on Review	Use on Review
Dog kennels / animal boarding	Use on Review	

<b>Uses Permitted</b>	<b>CR</b>	<b>CN</b>
Self service car wash (non automated)	Use on Review	
Self service storage facilities	Use on Review	
Contractor's storage yard	Use on Review	

That's a lot of uses allowed by right in the CR zone. I agree with staff that the CR zone is the most appropriate commercial zoning for the location. CN is meant to service an adjacent neighborhood, which there isn't one for this property.

There are nearby parcels zoned CA and CB from years ago, and they have long been involved in minimally intensive commercial activity which doesn't impact the character of the area too much - warehouses, automotive service, and professional offices. That doesn't prevent a future buyer from coming along and changing them to much more intensive activity in the future that would be an unwelcome change to the area and inconsistent with land use planning.

There's an opportunity to put guiderails around this particular rezoning and set a precedent for carefully and narrowly considering rezonings in rural areas where there may be a complementary use for rural commercial but the planning calls for agriculture. By applying a condition to the rezoning that restricts it to just the requested use, the planning commission creates a vehicle for public hearings and involvement and can carefully consider any changes to use that may occur in the future.

I was also surprised to see that the CR zone allows an interior illuminated monument sign, where CN requires indirect illumination on the monument sign. I'm not sure if this was intentional or oversight when the ordinance was written, but indirectly illuminated signs impact the landscape and sightlines less than interior lit ones.

The CR zone contains a number of good requirements for setbacks, lighting, landscaping, and buffering to minimize impact on the area. I applaud MPC for setting these standards several years ago and maintaining them - thank you!

There are two conditions that I believe should be added to the rezoning:

1. A monument sign will be indirectly illuminated.
2. Restricted to <particular use requested by applicant>. I'd ask Mr. Seymour to select which use permitted in CR is the one that his clients intend to engage in.

By adding these two conditions to the rezoning, I believe the MPC can do a great service to the applicants by permitting them to establish a business that will be a good addition to the northeast county community, and also protecting the character of the community by narrowly specifying the use and requiring a public rezoning hearing to change the condition if the use is to change in the future.

Respectfully,

A handwritten signature in black ink, appearing to read "A. Seymour", with a long, sweeping horizontal stroke extending to the right.

CC: Arthur Seymour, Jr., representative of applicant  
Mike Bruseau, MPC Rezoning, Development Plan Review  
Lisa Starbuck, Northeast Knox Preservation Association